

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JIMMY CLARK,

Plaintiff,

vs.

TIMOTHY RASMUSSEN, et al.,

Defendants.

NO. CV-09-375-JLQ

ORDER DENYING MOTIONS

BEFORE THE COURT are Mr. Clark's Motion for Reconsideration of Order to Vacate (Ct. Rec. 10) and Motion to Waive the Rules (Ct. Rec. 11), in which he yet again contends that there are no duly qualified Supreme Court Justices sitting on the Washington Supreme Court and thus he may not pursue his available remedies in state court.

Mr. Clark states that he has "shown that there are no courts of competent jurisdiction available to him in the state of Washington . . . " Ct. Rec. 11, 2. Mr. Clark then asks the court: "Where else can this Petitioner go to exhaust his administrative remedies and to have this matter heard at a meaningful time and in a meaningful manner before a court of competent jurisdiction?" Ct. Rec. 11, 2. The court reiterates that whether or not there exists a court of competent jurisdiction in Washington is not for Mr. Clark to unilaterally determine. In its dismissal of Mr. Clark's complaint, he was advised that this court must abstain from reaching the merits of Mr. Clark's claims until he exhausts all available state judicial remedies in the courts of the state of Washington, Mr. Clark's opinion of the validity and constitutionality thereof notwithstanding. *See Middlesex County Ethics Comm. v. Garden State Bar Ass'n*, 457 U.S. 423, 432 (1982).

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Accordingly,

2 **IT IS HEREBY ORDERED:**

3 1. The Motion for Reconsideration of Order to Vacate (Ct. Rec. 10) and Motion to
4 Waive the Rules (Ct. Rec. 11) are **DENIED**.

5 2. Mr. Clark's action in this court having been dismissed, **IT IS HEREBY**
6 **ORDERED** that Mr. Clark shall make no further filings in this matter, except for a
7 timely Notice of Appeal, unless and until proof of complete exhaustion of state of
8 Washington judicial remedies is filed. If Mr. Clark files a Notice of Appeal, he must pay
9 the full filing fee thereon, since this court could not certify such an appeal as non-
10 frivolous.

11 3. **Any other filings by Mr. Clark in this matter may constitute contempt of**
12 **court and may lead to sanctions against him and/or the entry of a vexatious litigant**
13 **Order which could prevent Mr. Clark from filing any further actions in this court.**

14 The Clerk is hereby directed to enter this Order and furnish copies to Mr. Clark.

15 **DATED** this 3rd day of February, 2010.

16 s/ Justin L. Quackenbush
17 JUSTIN L. QUACKENBUSH
18 SENIOR UNITED STATES DISTRICT JUDGE
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